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**From:** Wong, Diana [/O=CORPNYCHHC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7F4D41BF03A54E228F4625CDEEFF4333-WONG, DIANA]  
**Sent:** 7/2/2019 10:16:19 AM  
**To:** Smith, Ciara [smithc45@nychhc.org]; Kaye, Melissa [melissa.kaye@nychhc.org]  
**CC:** Fritz, Mary [fritzm1@nychhc.org]; Fong, Donna [fongd@nychhc.org]; Soto, Wilma [sotow2@nychhc.org]; Barrow, Colleen [colleen.barrow@nychhc.org]  
**Subject:** RE: FMLA annual schedule and balance

Good morning all,

Just an FYI, if the time off Dr. Kaye used during 12/21/18 – 1/7/19 was not to care for the family member for which the FMLA was approved for that time should not be counted against her FMLA usage. Dr. Kaye stated the time off was due to a death in the family, therefore that time should not be coded FMLA. Should there be any questions please let me know.

Regards,  
Diana

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**From:** Smith, Ciara  
**Sent:** Wednesday, June 26, 2019 1:41 PM  
**To:** Kaye, Melissa  
**Cc:** Wong, Diana ; Fritz, Mary ; Fong, Donna ; Soto, Wilma ; Barrow, Colleen  
**Subject:** RE: FMLA annual schedule and balance

Good Afternoon Dr. Kaye,

On December 24, 2018, you sent the attached email which stated that you had prior approved FMLA leave for that week and the following week for your son. In addition you asked that the timesheets be coded for FLMA and if it was denied to but the 02. At the time of your email you did not have an approved FLMA letter, and we informed Dr. Jain to update the timecard to reflect only (02). Once we received notification that your FLMA was retroactively approved, we used FLMA for the dates in your December 24<sup>th</sup> email. We were not previously made aware that these days were no longer FMLA.

We will update Kronos to reflect the FLMA code.

Thank you,

Ciara Smith  
Director of CHS Payroll  
NYC Health + Hospitals, Correctional Health Services  
55 Water Street, 18<sup>th</sup> Floor  
New York, NY 10041  
(646) 614-0218  
[smithc45@nychhc.org](mailto:smithc45@nychhc.org)

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**From:** Kaye, Melissa <[Melissa.Kaye@nychhc.org](mailto:Melissa.Kaye@nychhc.org)>  
**Sent:** Friday, June 21, 2019 2:40 PM  
**To:** Fong, Donna <[fongd@nychhc.org](mailto:fongd@nychhc.org)>  
**Cc:** Wong, Diana <[wongd6@nychhc.org](mailto:wongd6@nychhc.org)>; Fritz, Mary <[fritzm1@nychhc.org](mailto:fritzm1@nychhc.org)>; Smith, Ciara <[smithc45@nychhc.org](mailto:smithc45@nychhc.org)>  
**Subject:** Re: FMLA annual schedule and balance

Dear Ms. Fong:

I reviewed my time sheets and note that I have used 27 days under the FMLA. I understand from you that I was retroactively deducted FMLA time from 12/21 to 1/7. This is incorrect. I took annual leave from 12/21 to 1/7 to help my family attend to the aftermath of my brother's sudden death. I did not use that time as FMLA.

I kindly request that my FMLA leave time be corrected for the dates of 12/21 to 1/7 as reflected on the attached timesheets.

Please feel free to contact me with any questions or concerns.

Thank you for your time,

Melissa Kaye, M.D.  
Medical Director  
Bronx Court Clinic  
phone: 718-410-2345  
Fax: 718-410-2344

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**From:** Fong, Donna  
**Sent:** Wednesday, June 5, 2019 4:41 PM  
**To:** Kaye, Melissa  
**Cc:** Wong, Diana; Fritz, Mary; Smith, Ciara  
**Subject:** RE: FMLA annual schedule and balance

Good afternoon Dr. Kaye,

Here are the dates that you used for FMLA

10/15/18 -11/14/18 10 days  
11/13/18 - 11/14/18 2 days  
11/21/18, 11/23/18 2 days  
12/21/18 – 1/7/19 10 days\*  
2/19/19 1 day  
3/18/19 – 4/2/19 12 day

- Were the days we had the retro approval to change your leave from regular AL to FMLA.

Kindly let us know if you have any questions. Thanks.

Donna

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**From:** Kaye, Melissa  
**Sent:** Wednesday, May 29, 2019 12:33 PM  
**To:** Fong, Donna <[fongd@nychhc.org](mailto:fongd@nychhc.org)>  
**Cc:** Wong, Diana <[wongd6@nychhc.org](mailto:wongd6@nychhc.org)>; Fritz, Mary <[fritzm1@nychhc.org](mailto:fritzm1@nychhc.org)>; Smith, Ciara <[smithc45@nychhc.org](mailto:smithc45@nychhc.org)>  
**Subject:** Re: FMLA annual schedule and balance

Hi Ms. Fong,

Thank you for the information. According to my records I have used 27 days (216 hours) of FMLA not 37 days (296 hours). When you get a chance, please provide me with the documentation payroll used to calculate my FMLA usage.

Thanks,

Melissa Kaye, M.D.  
Medical Director  
Bronx Court Clinic  
phone: 718-410-2345  
Fax: 718-410-2344

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**From:** Fong, Donna  
**Sent:** Tuesday, May 21, 2019 11:01 AM  
**To:** Kaye, Melissa  
**Cc:** Wong, Diana; Fritz, Mary  
**Subject:** RE: FMLA annual schedule and balance

Good morning Dr. Kaye,

Sorry for the late respond.

Please be advised that from 10/15/2018 till 4/27/2019, you used total 296:00 FMLA hours.  
The balance you can be used will be 184:00 Hours (12 week x 40 hours – 296 hours)

Kindly let us know if you have any questions. Thanks.

Donna

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**From:** Fong, Donna  
**Sent:** Tuesday, May 07, 2019 3:04 PM  
**To:** Kaye, Melissa <[Melissa.Kaye@nychhc.org](mailto:Melissa.Kaye@nychhc.org)>  
**Cc:** Wong, Diana <[wongd6@nychhc.org](mailto:wongd6@nychhc.org)>; Fritz, Mary <[fritzm1@nychhc.org](mailto:fritzm1@nychhc.org)>  
**Subject:** RE: FMLA annual schedule and balance

Good afternoon Dr. Kaye,

The first date you took the FMLA was October 15, 2018, so your 12-month period is 10/15/18 through 10/14/19.  
I will provide you your current FLMA leave balance once I have the information from our payroll/timekeeping department.  
Kindly let us know if you have any questions.  
Thank you.

Donna

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**From:** Fritz, Mary  
**Sent:** Tuesday, May 07, 2019 10:29 AM

**To:** Kaye, Melissa <[Melissa.Kaye@nychhc.org](mailto:Melissa.Kaye@nychhc.org)>; Fong, Donna <[fongd@nychhc.org](mailto:fongd@nychhc.org)>

**Cc:** Wong, Diana <[wongd6@nychhc.org](mailto:wongd6@nychhc.org)>

**Subject:** RE: FMLA annual schedule and balance

Dr. Kaye,

I do not have your FMLA usage, but I can answer your question about how the FMLA availability is calculated. We are allowed to use one of a few methods of calculating the FMLA 12 month period. We chose to use the "Rolling Year" which begins with the onset of the leave that is requested backwards for 12 months. So if you're the leave you are requesting begin June 1, 2019, we would look back and count any FMLA that you used from June 1, 2019 back to May 31, 2018 and reduce the FMLA allotment by what FMLA you used during that 12 month look back period. I am attaching a DOL Fact sheet which explains how the Rolling year backward look back period works.

Let me know if you would like to discuss this.

Mary

**Mary E Fritz, JD, SPHR, SHRM-SCP**

Senior Director – Leave Administration

Human Resources Shared Services

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**From:** Kaye, Melissa <[Melissa.Kaye@nychhc.org](mailto:Melissa.Kaye@nychhc.org)>

**Sent:** Tuesday, May 7, 2019 9:11 AM

**To:** Fong, Donna <[fongd@nychhc.org](mailto:fongd@nychhc.org)>

**Cc:** Fritz, Mary <[fritzm1@nychhc.org](mailto:fritzm1@nychhc.org)>

**Subject:** FMLA annual schedule and balance

Hi Ms. Fong,

I am writing for clarification of the HHC policy regarding FMLA leave.

Does the 12 weeks of allotted time for FMLA begin on January 1st of each calendar year or some other date?  
Please let me know when the yearly cycle of FMLA begins and ends at HHC.

Please provide me with my current FLMA leave balance and the documentation and calculations of these dates.

I have copied Ms. Fritz on this matter in the event this information is not readily available to you.  
Thank you for your assistance.

Melissa Kaye, M.D.  
Medical Director  
Bronx Court Clinic  
phone: 718-410-2345  
Fax: 718-410-2344